

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONNIE MILLER,

Defendant.

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8:06CR98

ORDER

This matter is before the court on the motion for an extension of time by defendant Connie Miller (Miller) (Filing No. 20). Miller seeks an extension of time until July 12, 2006, in which to file pretrial motions pursuant to paragraph 3 of the progression order (Filing No. 11). Miller also seeks to seal an affidavit in support of the motion (Filing No. 20). Defense counsel represents to the court that counsel for the government has no objection to the extension. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Miller's motion for an extension of time (Filing No. 20) is granted. The motion to seal the affidavit (Filing No. 20) is also granted. Defendant Miller is given until **on or before July 12, 2006**, in which to file pretrial motions pursuant to the progression order (Filing No. 11). The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 12, 2006 and July 12, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 12th day of June, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge